

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:

EARLINE RUFFIN

V

PEOPLES GAS LIGHT AND COKE COMPANY

Complaint as to denied service based)
on a previous tenant's bill in)
Chicago, Illinois.)

Chicago, Illinois

September 27, 2004

Met pursuant to notice at 10:00 a.m.

BEFORE :

MR. JOHN RILEY, Administrative Law Judge.

APPEARANCES:

MS. EARLINE RUFFIN,
5835 West Washington Boulevard,
Chicago, Illinois,
appeared pro se;

MR. MARK L. GOLDSTEIN,
3710 Commercial Avenue,
Northbrook, Illinois 60062,
appeared for Peoples Gas
Light and Coke Company.

SULLIVAN REPORTING COMPANY, by
Teresann B. Giorgi, CSR

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<u>Witnesses:</u>	<u>Dir.</u>	<u>Crx.</u>	Re- <u>dir.</u>	Re- <u>crx.</u>	By <u>Examiner</u>
NONE					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
NONE		

1 JUDGE RILEY: Pursuant to the direction of
2 the Illinois Commerce Commission, I now call
3 Docket No. 04-0535. This is a complaint by
4 Ms. Earline Ruffin versus Peoples Gas Light and Coke
5 Company as to denied service based on previous
6 tenant's bill in Chicago, Illinois.

7 Ms. Ruffin, you are proceeding without
8 an attorney at this point, is that correct?

9 MS. RUFFIN: That's correct.

10 JUDGE RILEY: Okay. Would you state your name
11 and your address for the record, please.

12 MS. RUFFIN: Earline Ruffin, 5835 West
13 Washington Boulevard.

14 JUDGE RILEY: Thank you. And that's in Chicago?

15 MS. RUFFIN: Chicago, Illinois.

16 JUDGE RILEY: And Mr. Goldstein, you are
17 representing Peoples Gas?

18 MR. GOLDSTEIN: Yes. On behalf of the Peoples
19 Gas Light and Coke Company, Mark L. Goldstein, 3710
20 Commercial Avenue, Suite 1, Northbrook, Illinois
21 60062. My phone number is 847-564-5573.

22 JUDGE RILEY: Ms. Ruffin, let me begin with your

1 complaint. It states that you've been deprived --
2 you say that you've been deprived of service. The
3 gas has been shut off to the building?

4 MS. RUFFIN: Yes, it has.

5 JUDGE RILEY: Is this an apartment building?

6 MS. RUFFIN: No, it's a home.

7 JUDGE RILEY: It is a single-family home?

8 MS. RUFFIN: Yes, it is.

9 JUDGE RILEY: Okay. How long has the gas been
10 shut off?

11 MS. RUFFIN: Since April.

12 JUDGE RILEY: April this year, right?

13 MS. RUFFIN: Yes, '04.

14 JUDGE RILEY: And what was the reason for it?

15 Is it because of this unpaid bill, approximately,
16 \$16,000, almost \$17,000?

17 MS. RUFFIN: My understanding, it was shut off
18 because they said it was a back feed.

19 JUDGE RILEY: A "back feed"?

20 MS. RUFFIN: That's what they told the tenant,
21 it was a back feed. He told me it was a back feed
22 and I called them.

1 JUDGE RILEY: Let me go back just a second.
2 Are you the owner of this structure?
3 MS. RUFFIN: I'm the owner.
4 JUDGE RILEY: Okay. And when did you become the
5 owner?
6 MS. RUFFIN: 1987, it's been a while.
7 JUDGE RILEY: Okay. Approximately, then.
8 MS. RUFFIN: It's been a while.
9 JUDGE RILEY: Have you been the continuous owner
10 since that time?
11 MS. RUFFIN: Yes, I have. I've been the
12 continuous owner before this, this even happened.
13 JUDGE RILEY: You mentioned a tenant. Did you
14 rent the premises out?
15 MS. RUFFIN: Yes, I did.
16 JUDGE RILEY: Approximately, when?
17 MS. RUFFIN: In 1999.
18 JUDGE RILEY: And how long was the tenant there?
19 MS. RUFFIN: They was there until March, March
20 of '04.
21 JUDGE RILEY: And, then, you moved back in?
22 MS. RUFFIN: Yes, I did.

1 JUDGE RILEY: And you're saying that the sums
2 that were incurred by this tenant -- excuse me, the
3 sums that were incurred were done so by this tenant,
4 who was living there, is that correct?

5 MS. RUFFIN: Well, I'm not saying it was done by
6 the tenant because when I called in, they had
7 calculated items on this bill that wasn't even
8 supposed to be at this residence. They had two
9 furnaces. They had two hot water tanks. They had
10 two stoves, and a little space heater. That was not
11 at this location.

12 JUDGE RILEY: What did they send you that said
13 that, or did someone tell you that that's what --

14 MS. RUFFIN: I'll tell you how they was
15 calculating that bill. And, basically, tried to
16 tell them that was nothing (sic). I need them to
17 come back out and, you know, get everything
18 straight, but no one ever came.

19 JUDGE RILEY: This was like in a phone
20 conversation?

21 MS. RUFFIN: It was a phone conversation. They
22 gave me the total amount after they calculated

1 everything. And the person I talked to --

2 JUDGE RILEY: Let me go back again.

3 When you say they calculated

4 everything, was this when you moved back in? Did

5 they come out and do a reading?

6 MS. RUFFIN: They didn't even do a reading.

7 When I -- let's go back to Day One.

8 They came out --

9 JUDGE RILEY: What's Day One? Is that when you

10 moved in -- moved back in?

11 MS. RUFFIN: Yes.

12 JUDGE RILEY: Okay. Go ahead.

13 MS. RUFFIN: Came out, found out that there was

14 a back feed and they pretty much cut everything off

15 from the backyard.

16 JUDGE RILEY: Okay. You say PG came out when

17 you moved back in. Okay. And they found that there

18 was something called a back feed.

19 MS. RUFFIN: Yes.

20 JUDGE RILEY: What did they do then?

21 MS. RUFFIN: They dug the ground up and they,

22 actually, just cut the gas off.

1 JUDGE RILEY: They dug the ground up?
2 MS. RUFFIN: Uh-hum.
3 JUDGE RILEY: They dug up pipe?
4 MS. RUFFIN: They dug the yard up and they
5 turned it off from the backyard.
6 JUDGE RILEY: So, it wasn't even a question of
7 shutting off the meter, then. They just shut off
8 the --
9 MS. RUFFIN: Yes.
10 JUDGE RILEY: And they shut off the gas from
11 there?
12 MS. RUFFIN: Yes.
13 JUDGE RILEY: Then, what happened? Did they say
14 anything at that time or -- obviously, they just did
15 what they did out in the backyard.
16 MS. RUFFIN: Yes.
17 JUDGE RILEY: And then the crew left, I presume.
18 MS. RUFFIN: They just left. And from that
19 point on I've been trying to get the gas on.
20 JUDGE RILEY: Okay. Did you contact someone at
21 Peoples Gas after that?
22 MS. RUFFIN: Yes, I did.

1 JUDGE RILEY: And do you know who you contacted
2 or when that was?

3 MS. RUFFIN: Ms. Astrader (phonetic), Astreda
4 (phonetic). She was with the credit department.
5 Basically, that's the first lady I was talking with
6 and she said that there was a bill that needed to be
7 paid and based on the finding of the two furnaces
8 and everything, this is what it's going to be -- no,
9 no, at first it was, like, they took the meter
10 before I talked to her. They took the meter out.

11 JUDGE RILEY: Okay.

12 MS. RUFFIN: And they registered the meter and
13 it said it was, like, \$2,000 and something owed.
14 So, for some reason they kind of enticed me, Okay,
15 unless this bill is paid, you're not going to get
16 service.

17 JUDGE RILEY: Okay.

18 MS. RUFFIN: I'm thinking, I know I need
19 service, I paid the bill for somebody else because
20 this is my house. I did not want to be without any
21 gas.

22 JUDGE RILEY: Okay. You just said you made a

1 payment.

2 MS. RUFFIN: Yes, I did.

3 JUDGE RILEY: How much did you pay?

4 MS. RUFFIN: Paid over \$2,000.

5 JUDGE RILEY: Do you remember when you made that

6 payment?

7 MS. RUFFIN: I remember when I made the payment.

8 I even have the receipt. I put it in the name that

9 they wanted to put it in and everything. Because

10 I'm, like, it was cold. I couldn't go without heat

11 and --

12 JUDGE RILEY: No, I understand that.

13 MS. RUFFIN: Right.

14 JUDGE RILEY: You paid the 2,000 --

15 MS. RUFFIN: Uh-hum. I paid it.

16 JUDGE RILEY: Could you -- I mean, this is since

17 you moved in. Could you approximate how much and

18 when that was? Was it in --

19 MS. RUFFIN: It was in -- 4-23.

20 JUDGE RILEY: Okay. How much was the amount?

21 MS. RUFFIN: \$2,246.53.

22 JUDGE RILEY: And why did that not get your

1 service reestablished?

2 MS. RUFFIN: They said -- I don't know. I don't

3 even know why my service wasn't reestablished.

4 JUDGE RILEY: Okay. Now, did you contact

5 Peoples Gas after that?

6 MS. RUFFIN: Yes. That's when I called

7 Astrader, or something, in that credit department.

8 JUDGE RILEY: I understand that.

9 Did she tell you that there was

10 another bill that needed to be paid?

11 MS. RUFFIN: Yes.

12 JUDGE RILEY: And did she say how much that one

13 was for?

14 MS. RUFFIN: She said that bill was for

15 \$18,932.49. And this is the telephone number that I

16 dialed her, 312-240-4991, Astreder or Astrader.

17 JUDGE RILEY: We can get back to that later.

18 My question is, did she say why after

19 paying this \$2246, that you owed another 18,900?

20 MS. RUFFIN: Yes.

21 JUDGE RILEY: Was it 18,000 or 16,000?

22 MS. RUFFIN: She told me \$18,932.49.

1 JUDGE RILEY: Because I noticed that there was a
2 letter included with the file that said that --
3 Peoples Gas says that the investigation revealed
4 that \$16,932.49 --

5 MS. RUFFIN: Well, evidentially if you take --
6 maybe you can take the 2,000 and something off of
7 that, that's --

8 JUDGE RILEY: Well, it's exactly \$2,000, that's
9 what I'm saying is the discrepancy.

10 But, anyway, she told you, as you
11 recall, it was 18,932.49.

12 MS. RUFFIN: Yes.

13 JUDGE RILEY: And what did she say why that was
14 owed?

15 MS. RUFFIN: She said it was a calculated bill
16 for two furnaces, two stoves, two hot water tanks
17 and a space heater from 1999 up until the present.

18 JUDGE RILEY: And that was from 1999?

19 MS. RUFFIN: Until 2004.

20 JUDGE RILEY: Did you tell her that this was
21 just a single-family home that only had one of each
22 of these things?

1 MS. RUFFIN: I told her. And I asked for a
2 reinspection. I've been asking for a reinspection,
3 or whatever they do to get your gas turned back on,
4 since April of this year.

5 JUDGE RILEY: Did they ever tell you what the
6 term "back feed" meant?

7 MS. RUFFIN: No.

8 JUDGE RILEY: They just said it was something
9 called a back feed.

10 MS. RUFFIN: Back feed, that's it.

11 JUDGE RILEY: Did you have a lease with this
12 tenant?

13 MS. RUFFIN: I didn't have a lease with this
14 tenant.

15 JUDGE RILEY: Okay.

16 So, as it stands right now -- I'm
17 looking at a letter dated June 18, 2004, it's
18 addressed to you, and they did make a mistake in the
19 salutation, it says "Dear Ms. Washington," but I
20 think they meant "Dear Ms. Ruffin."

21 MS. RUFFIN: Uh-hum.

22 JUDGE RILEY: And it says in the third

1 paragraph, Our investigation revealed that
2 \$16,932.49 worth of gas was diverted through the tap
3 at 5835 West Washington Boulevard, between a date in
4 October, '99 and April, 2004."

5 Are you familiar with the letter?

6 MS. RUFFIN: I'm familiar with the letter.

7 MR. GOLDSTEIN: I would point out to the Judge
8 that the letter was attached to Ms. Ruffin's
9 complaint.

10 JUDGE RILEY: The complaint, right.

11 Did you ask Peoples Gas what this
12 letter was all about?

13 MS. RUFFIN: Yes, I did.

14 JUDGE RILEY: I mean, was that the first you had
15 heard about this?

16 MS. RUFFIN: That's, basically, the first time I
17 heard about it. The gas is shut off and this is the
18 reasons.

19 JUDGE RILEY: And because of that \$16,000 bill
20 and because the gas had been diverted.

21 MS. RUFFIN: Yes, that's what they say.

22 JUDGE RILEY: Okay.

1 Mr. Goldstein, what is Peoples Gas' --

2 MR. GOLDSTEIN: Obviously, we --

3 JUDGE RILEY: -- position on this?

4 MR. GOLDSTEIN: -- believe that there was an

5 improper tap of service and the gas was diverted.

6 And I think the only thing that we need to establish

7 today is that Ms. Ruffin was Peoples Gas customer of

8 record for the period 1999 through April of 2004.

9 MS. RUFFIN: No, I was not.

10 JUDGE RILEY: Was your name on the account or

11 was it the tenant's name on the account?

12 MS. RUFFIN: It was the tenant's name on the

13 account.

14 JUDGE RILEY: During the time that that tenant

15 lived in the --

16 MS. RUFFIN: Yes.

17 JUDGE RILEY: Was it the same tenant all the

18 time?

19 MS. RUFFIN: Uh-hum.

20 JUDGE RILEY: When those individuals came out

21 and dug up the backyard and you say they shut the

22 gas off from that point.

1 MS. RUFFIN: Yes.

2 JUDGE RILEY: Did they tell you that it appeared
3 that gas had been diverted or that the line had been
4 tapped?

5 MS. RUFFIN: No, they was just running around,
6 trying to figure out -- everything was -- once they
7 took the meter out, everything was off, but nobody,
8 you know, could tell me what was going on. When
9 they took the meter out, you couldn't turn anything
10 on, but they said it was something like -- well, the
11 first guy who came out he didn't really know what
12 was going on. So, I guess he called his supervisor.
13 And it was just, like -- they wasn't talking to me,
14 they was talking to one another.

15 JUDGE RILEY: Okay.

16 MS. RUFFIN: So, I didn't know anything,
17 basically, until the whole letter came.

18 JUDGE RILEY: All right. Is it possible --
19 well, we're speculating.

20 What was the tenant's name?

21 MS. RUFFIN: Well, I can tell you the tenant's
22 name, but the bill isn't even in his name.

1 JUDGE RILEY: The bill was sent to you.

2 MS. RUFFIN: The bill -- my tenant's name was

3 Alvin Jackson.

4 JUDGE RILEY: Okay. But the bills that were

5 sent, were they in your name?

6 MS. RUFFIN: No. The bill that was sent was in

7 my name and also in a John Little name.

8 JUDGE RILEY: And who would that be?

9 MS. RUFFIN: I don't know.

10 JUDGE RILEY: You do not know who John Little

11 is?

12 MS. RUFFIN: No, I don't.

13 JUDGE RILEY: Now, during the time that this

14 tenant lived at your premises, were you receiving

15 the bills for the gas service?

16 MS. RUFFIN: No, I was not.

17 JUDGE RILEY: When did you start receiving bills

18 with your name and the name of John Little on there?

19 MS. RUFFIN: In April -- around May -- April. I

20 was in there in March, so around April. Everything

21 was still left from March and April.

22 JUDGE RILEY: Okay. So, the bills you're

1 getting now and you have been getting since you
2 moved back in, have been in the name of you -- your
3 name and the name of John Little, whom you have no
4 knowledge of.

5 MS. RUFFIN: No knowledge of.

6 JUDGE RILEY: And is it just the one address on
7 there?

8 MS. RUFFIN: It's just one address, because I'm
9 getting bills for the same -- my bill is higher than
10 John Little's bill, but we're all getting the same
11 bill for one residence.

12 JUDGE RILEY: Well, that's what I'm thinking.
13 It should be just one sum of money and one --

14 MS. RUFFIN: Two different amounts.

15 JUDGE RILEY: Let me see what you're looking at
16 there. It's two different amounts on the same bill?

17 MS. RUFFIN: No. Two different amounts. In my
18 name I've got 19,000. In his name, he's got --

19 JUDGE RILEY: I don't mind saying, I'm
20 completely confused about what you've been
21 receiving.

22 MS. RUFFIN: Yeah. You? I've been receiving

1 all kinds of bills.

2 JUDGE RILEY: In other words, it sounds to me
3 like you've been receiving two different bills.

4 MS. RUFFIN: I am. Here's mine and here's his.

5 JUDGE RILEY: Why would you be receiving his
6 bill? I thought his name was on your bill.

7 MS. RUFFIN: It's not. It's two different
8 bills.

9 JUDGE RILEY: Let me see that. Let me see what
10 you've been getting here.

11 MS. RUFFIN: (Indicating.)

12 JUDGE RILEY: Did you ask Peoples Gas who John
13 Little was or how they knew about him?

14 MS. RUFFIN: I asked. And I'm, like, why did
15 you wait up until 1999 (sic) to come out and turn
16 the gas off? Haven't this person been paying, and
17 been paying on time since 1999 to 2004, that's a
18 long time.

19 JUDGE RILEY: I understand that.

20 MS. RUFFIN: Right.

21 JUDGE RILEY: I note there's two different
22 account numbers that are involved.

1 MS. RUFFIN: After they got all my information,
2 my name, my Social Security number and everything,
3 that's when they sent me my bill.

4 JUDGE RILEY: Okay. You and Mr. Little have
5 both received letters from Peoples Gas saying that
6 there was an illegal connection on the pipe
7 supplying gas service to the premises at 5835 West
8 Washington.

9 MS. RUFFIN: Yes.

10 JUDGE RILEY: And as of August 25, 2004, the
11 date of this letter, they are holding you
12 responsible --

13 MS. RUFFIN: Yes.

14 JUDGE RILEY: -- for \$19,780.53.

15 MS. RUFFIN: Yes, they are.

16 JUDGE RILEY: Prior to that time, on April 16
17 there was a letter addressed to Mr. Little at the
18 same address. There are two other notations HSC
19 and RP. Do you have any idea what those mean?

20 MS. RUFFIN: No, I don't.

21 JUDGE RILEY: This one, May 5, going back to
22 May 5, Peoples Gas advised Mr. Little if there was

1 an illegal connection that had been removed from the
2 pipes supplying gas service to the premises in
3 question.

4 On May 27, Mr. Little was sent a bill
5 for \$18,932.49 for service.

6 Again, you have no idea who John
7 Little is.

8 MS. RUFFIN: No, I don't.

9 JUDGE RILEY: I'm at a loss to explain as to
10 what's going on, but for some reason Peoples Gas has
11 established, at least, by their records that someone
12 by the name of John Little was receiving gas service
13 at 5835 West Washington, him as well as yourself.

14 Again, when you were not residing
15 there from 1999 to 2004, was the service in the name
16 of someone else?

17 MS. RUFFIN: It was in the name of someone else.

18 JUDGE RILEY: And that was Mr. Alvin Jackson?

19 MS. RUFFIN: Alvin Jackson was my tenant.

20 JUDGE RILEY: Okay. Give me a second to make a
21 note here.

22 (Short pause.)

1 JUDGE RILEY: Counsel, is it still Peoples Gas'
2 position that --

3 MR. GOLDSTEIN: Yes.

4 JUDGE RILEY: -- that complainant's name was the
5 account holder of record and liability for the
6 outstanding sums?

7 MR. GOLDSTEIN: I don't think -- let me rephrase
8 that.

9 It seems to me that -- without getting
10 into the technicalities of who was responsible when
11 there is a diversion of service, it seems to me that
12 since this is the first hearing and now we've got a
13 clear understanding of what Ms. Ruffin's position
14 is, I think -- I would defer any questioning I have
15 of Ms. Ruffin until another hearing and bring in the
16 appropriate Peoples Gas personnel to testify with
17 respect to the diversion of service.

18 JUDGE RILEY: You're talking about a formal
19 evidentiary session, then.

20 MR. GOLDSTEIN: Yes.

21 JUDGE RILEY: All right.

22 MS. RUFFIN: Excuse me for interrupting, but

1 I've been trying to get something -- because you
2 know it's going to get cold, and since April -- gas
3 has been off since April now. And that's a long
4 time for the gas to be off and have no questions and
5 nobody give me any consideration. That's a long
6 time. And the people that you're having, that you
7 don't have any questions, should have been here
8 today to answer all these questions because that's a
9 long time to go without service. And this is what
10 I'm thinking I'm coming down here for the evidence
11 or whatever we need to do.

12 JUDGE RILEY: It said in the Notice, Ms. Ruffin,
13 that this was a prehearing conference.

14 MS. RUFFIN: I've been trying to do this since
15 April.

16 MR. GOLDSTEIN: I would suggest, then,
17 Judge Riley, that we set a hearing within the next
18 30 days. We'll resolve this one way or another
19 through hearing.

20 JUDGE RILEY: Okay. Let me make a note here.

21 Now, those bills with the name John
22 Little on them, those came directly to you?

1 MS. RUFFIN: They came to 5835.

2 JUDGE RILEY: They were in your mailbox.

3 MS. RUFFIN: They was in my mailbox.

4 JUDGE RILEY: Okay. I don't think there's going
5 to be a resolution of this matter outside of a
6 hearing.

7 MS. RUFFIN: Can anybody explain why I'm getting
8 two bills at this time?

9 JUDGE RILEY: I think what Peoples Gas is saying
10 is that they will explain that when we do go to
11 hearing. They'll have witnesses -- at least a
12 witness come in and testify as to exactly what
13 Peoples' position is and why it resulted in those
14 billings.

15 MS. RUFFIN: Without two meters, it can be two
16 bills. How can it be two bills with nothing but one
17 meter?

18 JUDGE RILEY: And you're saying it's just the
19 one meter in the house, is that correct?

20 MS. RUFFIN: One meter.

21 JUDGE RILEY: Do we need to set a discovery
22 schedule?

1 MR. GOLDSTEIN: Not that I know of. In order
2 to, you know, facilitate Ms. Ruffin's needs, I think
3 we should go straight to hearing.

4 JUDGE RILEY: Go straight to a hearing?

5 MR. GOLDSTEIN: I suggest, if it's available for
6 everybody, say 1:00 o'clock on October 22nd.

7 MS. RUFFIN: October 22nd?

8 MR. GOLDSTEIN: Yeah.

9 MS. RUFFIN: Snow will be on the ground.

10 JUDGE RILEY: I'm sorry.

11 MS. RUFFIN: Snow is going to be on the ground.

12 JUDGE RILEY: I don't think there's going to be
13 any danger of that. But we're going to have to give
14 it, at least, 30 days out.

15 Do you have anything --

16 MS. RUFFIN: Earlier?

17 JUDGE RILEY: That's not even 30 days, Counsel.

18 MR. GOLDSTEIN: I'm trying to facilitate
19 Ms. Ruffin's needs.

20 JUDGE RILEY: Let me recess for five minutes.

21 (Whereupon, a short
22 recess was taken.)

1 JUDGE RILEY: Let's go back on the record.

2 Ms. Ruffin, the procedure is this,
3 once we have concluded the hearing itself, I gather
4 all of the information that I've obtained at hearing
5 and I issue what is called a proposed order. Either
6 party -- a copy will be sent to you and to
7 Mr. Goldstein. Either party is free to file
8 exceptions to that order. And by that I mean
9 anything in that order that you dispute, that you
10 think is incorrect or has not been properly laid out
11 you would file a written response, called
12 exceptions, and it would go to our Clerk's office.
13 And then when I issue a final order for the
14 Commission, it would take into account the
15 exceptions that were filed.

16 Generally, after I issue the proposed
17 order and receive -- I allow two weeks for
18 exceptions and a week for reply to those exceptions,
19 that prolongs the process. And then once I receive
20 those I'll have a final order prepared for the
21 Commission as fast as possible, but we, most likely,
22 will be well into November, or even later.

1 Unfortunately, that's where we are right now. And
2 that's why Mr. Goldstein is proposing October 22nd.

3 Would you propose an earlier date?

4 I don't know if you've got anything
5 earlier.

6 MS. RUFFIN: I want to propose an earlier date,
7 if you all can come to an agreement with one.

8 MR. GOLDSTEIN: I guess by the time I discuss
9 this with the appropriate parties at Peoples Gas, it
10 will take a couple of weeks. I could do it on the
11 15th.

12 MS. RUFFIN: The 15th of October?

13 MR. GOLDSTEIN: Sure.

14 MS. RUFFIN: Okay. At what time?

15 MR. GOLDSTEIN: It's up to you.

16 JUDGE RILEY: I have a preference for morning
17 hearings. So, if we could start this at
18 10:00 a.m. --

19 MR. GOLDSTEIN: That's fine.

20 MS. RUFFIN: 10:00 o'clock?

21 JUDGE RILEY: Is that all right?

22 MR. GOLDSTEIN: Sure.

1 JUDGE RILEY: And I'll have our Clerk's office
2 send out a formal Notice to you as a reminder.

3 MS. RUFFIN: Okay.

4 JUDGE RILEY: That's where we are right now and
5 that's just three weeks away.

6 MS. RUFFIN: In the meantime will they come back
7 out or everything is going to be resolved through,
8 basically, the hearing?

9 JUDGE RILEY: When you say "resolve," it may
10 not -- I don't know how it's going to be resolved.
11 There will be, ultimately, a resolution to the
12 situation, but in whose favor I can't say at this
13 point.

14 As far as anyone from Peoples coming
15 out, that would be up to you, whether or not you'd
16 want to have someone come out.

17 What would you have them come out for?

18 MS. RUFFIN: Turn my gas on.

19 JUDGE RILEY: Based upon what I've heard now, I
20 don't know if they would do that without payment.

21 MS. RUFFIN: They have two people to pay. After
22 they got my information, that's when they flipped

1 the bill on me. That's exactly when they flipped
2 the bill on me, when they got all my information.

3 JUDGE RILEY: Is that when you reestablished
4 service with them, after you moved back?

5 MS. RUFFIN: When I requested services, that's
6 when they gave me the bill.

7 JUDGE RILEY: Okay. It confuses me, because
8 when I looked at those bills, they were still
9 addressing them to Mr. John Little --

10 MS. RUFFIN: And Earline Ruffin at the same
11 time.

12 JUDGE RILEY: See, I didn't see that.
13 Show me, again, because --

14 MS. RUFFIN: This here (indicating).

15 MR. GOLDSTEIN: Could I get copies of those?

16 MS. RUFFIN: Earline Ruffin (indicating), August
17 24, '04.

18 JUDGE RILEY: But I'm looking at the prior
19 bills, this is March 19 and it has just John
20 Little's name on there.

21 May 5, John Little.

22 MS. RUFFIN: Okay.

1 JUDGE RILEY: May 27, John Little.

2 So, he's the customer of record

3 through all this, May 7 -- I'm sorry, bill date,

4 April 15, just to John Little.

5 MS. RUFFIN: Okay.

6 JUDGE RILEY: April 26, John Little. This is

7 what I was referring to. May 4, John Little. And

8 it wasn't -- the first time that your name appears

9 on one of these bills, we're all the way into

10 August.

11 MS. RUFFIN: After that, what did they say on

12 this letter (indicating)?

13 JUDGE RILEY: No, I understand that.

14 And, as a matter of fact, they say it

15 even earlier on the letter, that you included here,

16 so, they had you, at least, as of June -- June 18

17 they addressed the letter to you --

18 MS. RUFFIN: Yes.

19 JUDGE RILEY: -- with regard to the diversion of

20 gas in the building.

21 But everything prior to that,

22 everything from March 19 through early May was

1 addressed to Mr. John Little.

2 MS. RUFFIN: Good. So, at that time the gas was
3 shut off. So, how did -- with the gas shut off and
4 with me not even having gas, get a bill?

5 JUDGE RILEY: Well, that's what they're doing is
6 that you are the owner of record. And it appears to
7 me that as the owner of record it defaults back to
8 you when payment was not made by anyone else.

9 MS. RUFFIN: How is that possible?

10 JUDGE RILEY: Because you're the owner.

11 MS. RUFFIN: Don't matter. You own --

12 JUDGE RILEY: This is what I think is going to
13 be explained at hearing. This is why Mr. Goldstein
14 wants to go to hearing, to call his witness and have
15 them testify to that. That's where I think we are
16 right now.

17 MS. RUFFIN: So, I'm responsible for somebody
18 else's bill. Back down to the same question again,
19 I'm responsible for somebody else's bill.

20 JUDGE RILEY: For that outstanding sum. That is
21 Peoples Gas' position right now. That's what
22 they're saying.

1 MS. RUFFIN: How is that possible?

2 JUDGE RILEY: That's what -- I don't know.

3 That's what we're going to have to hear testimony

4 on -- that's what I'm going to have to hear

5 testimony on. That's what Peoples Gas is going to

6 have to explain.

7 MS. RUFFIN: Right --

8 JUDGE RILEY: That's why we're going to go to

9 hearing on the 15th.

10 MS. RUFFIN: -- give me somebody else's bill.

11 JUDGE RILEY: Counsel, you said you wanted

12 copies of those?

13 MR. GOLDSTEIN: Yes, please.

14 JUDGE RILEY: That's what I meant about

15 discovery.

16 MS. RUFFIN: Well, however you want to make the

17 copies, because I don't have a --

18 JUDGE RILEY: Are these all of the bills that

19 you've received? Is this everything that you've

20 received since you moved back in?

21 MS. RUFFIN: Yes.

22 JUDGE RILEY: Okay. So, those bills were coming

1 in the name of John Little and they were winding up
2 in your mailbox.

3 MS. RUFFIN: Yes. After I gave them all my
4 information, that's when I started getting -- owed
5 the money.

6 JUDGE RILEY: Then, it switched over to your
7 name.

8 MS. RUFFIN: Uh-hum.

9 JUDGE RILEY: And when you gave them your name,
10 was that when you moved back in, in April?

11 MS. RUFFIN: Uh-hum.

12 JUDGE RILEY: Okay.

13 MS. RUFFIN: Yep.

14 JUDGE RILEY: Because I noticed that there was
15 one in May that still came in to John Little, May 4.

16 MS. RUFFIN: Yeah, they were -- April or May
17 when I moved in. But, still again, I'm like, how
18 did it -- with no bill -- no gas, I get a bill?

19 JUDGE RILEY: Well, that's what we're going to
20 find out when we go to hearing. That's what we'll
21 determine on the 15th, I hope.

22 Do you want those right now?

1 MR. GOLDSTEIN: Yes.

2 MS. RUFFIN: Whatever their finding was, it was
3 unlawful and it wasn't true. Because all that stuff
4 was based on this bill, it's not true either.

5 JUDGE RILEY: Okay.

6 MS. RUFFIN: I've got dispute. It's my property
7 and I know it was not all those hookups that was
8 there, two and three -- two furnaces. How they
9 itemize. I need to know down to the limit (sic),
10 how they itemized from 1999 for what they did,
11 because it's still not even right for them to do it
12 for this person, either.

13 JUDGE RILEY: Counsel, is there any way that
14 Peoples Gas could provide -- prior to hearing,
15 provide to the complainant with some kind of a
16 statement of policy as to why -- or is that
17 something you were going to bring in on the --

18 MR. GOLDSTEIN: I guess the simplest way to do
19 that would be for us to file an answer to the
20 complaint.

21 JUDGE RILEY: Okay.

22 MR. GOLDSTEIN: If you would like that. If you

1 would give me two weeks to do that so that you would
2 have it before the hearing.

3 JUDGE RILEY: It would affect the October 15
4 date then.

5 MR. GOLDSTEIN: No.

6 JUDGE RILEY: Okay. Fine.

7 MR. GOLDSTEIN: Give us to October 8th to file
8 an answer, then, we'll bring everything to issue.

9 JUDGE RILEY: Okay. What they're going to do is
10 file an answer to the complaint and it should be
11 somewhat explanatory and may help you understand why
12 they did what they did. And in the meantime --
13 we'll have that prior to hearing.

14 Right now, why don't I take those two
15 documents that you have there, and make the copies.

16 Let's go off the record for just a
17 second and I'll be right back.

18 (Whereupon, a short
19 recess was taken.)

20 JUDGE RILEY: Back on the record.

21 Ms. Ruffin, the one point that I
22 wanted to make is that as the complainant, you're

1 going to have the burden of proving your case, which
2 means you'll go first when we sit down for hearing.
3 You'll be under oath. And any witness or any
4 documents or any other items that you think would
5 tend to prove that you are not responsible for the
6 charges on those bills, please, bring that person
7 with you, bring the documents with you.

8 MS. RUFFIN: Okay.

9 JUDGE RILEY: I mean, anything you think is
10 relevant to saying that you are not responsible for
11 the sums of money on that bill. If you could find
12 Mr. Jackson, if you could find Mr. Little --

13 MS. RUFFIN: Peoples Gas already know who the
14 name the gas was on (sic). They've had it since
15 1999. So, they already have that proof of who was
16 there.

17 JUDGE RILEY: Okay.

18 Was there anything further that you
19 had, then?

20 MS. RUFFIN: This is all I have based on (sic).

21 JUDGE RILEY: Okay.

22 MS. RUFFIN: I already know who was --

1 JUDGE RILEY: Do you have anything further?

2 MR. GOLDSTEIN: I have nothing else.

3 JUDGE RILEY: Nothing further.

4 All right, then, as we have agreed,

5 then, we will reconvene -- Counsel, you're going to

6 file an answer to the complaint by the 8th of

7 October.

8 MR. GOLDSTEIN: Correct.

9 JUDGE RILEY: And we will reconvene on

10 October 15 at 10:00 a.m. for hearing and I'll the

11 Office of the Chief Clerk send out a Notice to that

12 effect.

13 Thank you very much.

14 MR. GOLDSTEIN: Thank you.

15 (Whereupon, the above-entitled

16 matter was continued to

17 October 15, 2004.)

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